

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 8:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 848. An act to amend the Higher Education Act of 1965 in order to improve the service obligation verification process for TEACH Grant recipients, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 405. A resolution to authorize representation by the Senate Legal Counsel in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 406. A resolution to authorize representation by the Senate Legal Counsel in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1544

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1544, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 405—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. MARK WARNER AND THE U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 405

Whereas, the U.S. Senate Select Committee on Intelligence and Senator Mark

Warner, Chairman of the Committee, have been named as defendants in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence, Civil Action No. 1:21-cv-02198, pending in the United States District Court for the District of Columbia;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Committees and Members of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent the Select Committee on Intelligence and Senator Warner in the case of *Shawn Musgrave v. Mark Warner* and the U.S. Senate Select Committee on Intelligence.

SENATE RESOLUTION 406—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. J. THOMAS MANGER, ET AL

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 406

Whereas, in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*, Civil Action No. 1:21-cv-02199, pending in the United States District Court for the District of Columbia, plaintiff has named Secretary of the Senate Sonceria Ann Berry and the Office of the Secretary of the Senate as defendants;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Secretary of the Senate Sonceria Ann Berry and the Office of the Secretary of the Senate in the case of *Shawn Musgrave v. J. Thomas Manger, et al.*

AMENDMENTS SUBMITTED AND PROPOSED

SA 3841. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3841. Mr. CASEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 2792, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking “(but such” and all that follows through “are employed”;

(B) in paragraph (4), by striking “and” after the semicolon;

(C) in paragraph (5), by striking the period after “Islands” and inserting “; and”; and

(D) by adding at the end the following:

“(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as ‘Rest of United States’.”

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking “and” after the semicolon;

(B) in paragraph (3), by striking the period after “employee” and inserting “; and”; and

(C) by adding at the end the following:

“(4) ‘pay locality’ has the meaning given that term under section 5302.”

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

DESIGNATING THE SEPTEMBER 11TH NATIONAL MEMORIAL TRAIL ROUTE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2278, which is at the desk.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2278) to designate the September 11th National Memorial Trail Route, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WYDEN. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 2278) was ordered to a third reading, was read the third time, and passed.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. MARK WARNER AND THE U.S. SENATE SELECT COMMITTEE ON INTELLIGENCE

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate